



RESPONSE TO QUESTIONS

MONTEREY COUNTY RAIL EXTENSION UNION PACIFIC RAILROAD PROPERTY ACQUISITION

1. **Budget:** Submittal Requirement G. Project Budget asks for an estimated cost per task using the appropriate Caltrans cost proposal format. The Caltrans 10-H forms are set up to detail hours/costs per staff member or classification, but not by task. Is a Caltrans 10-H cost proposal form required, or can we provide a different format that details costs per task?

Please include a budget with an estimated cost per task that details the hours and rates for each consultant team member that will be working on a given task. A completed Caltrans 10-H form will be required from the selected consultant team but is not required for your submittal.

2. **Legal Services:** Typically, legal services are contracted directly by the agency rather than as a subconsultant to the right of way consultant for confidentiality purposes. Would TAMC consider separating the legal services from the right of way services? If so, shall the Consultant's response to the RFP exclude legal services?

Do legal services need to be contracted separately, or can the law firm be a subconsultant to the winning company without a conflict of interest or attorney / client privilege?

Legal services should be included as described in the scope of work.

3. **Other Agreements:**

Has TAMC had any prior agreement or discussions with UPRR related to the proposed acquisition?

TAMC has had discussions with Union Pacific regarding the project and has begun the design review and capacity analysis processes. TAMC has not had recent discussions with the UPRR real estate team.

Who is handling the Construction and Maintenance agreement with UPRR?

Yet to be negotiated, the Transportation Agency would be the lead.

Is it anticipated coordination with utilities or other governmental agencies will be needed?

No.

- 4. Final Design: Although the RFP mentioned the design was 75% 'developed,' when is it supposed to be finalized?**

Final design is expected to be completed in Spring 2023.

- 5. Maps: Per the Scope #3, consultant is to identify all interests in the properties to be acquired that would be adverse to the Project. Since railroad agreements are generally not recorded, how will those agreements be clearly identified?**

When will legal descriptions and Appraisal Maps be completed?

Legal descriptions based on title research have been prepared for these parcels and matters that could signify encumbrances, easements, adverse interests, defects in, or liens affecting the title to the subject land have also been identified. Plat maps and legal descriptions based on surveys will be prepared after negotiation with UP Real Estate has occurred to determine the exact limits and types of proposed acquisition.

- 6. Nature of Acquisition:**

Will the project be acquiring the properties from the UPRR in fee, and, if so, what rights will the UPRR retain in the after condition?

TAMC is open to the recommendations of the team and has not yet determined the type of acquisition necessary. Negotiation with UP will ultimately determine the types of acquisition that are appropriate for each location.

Is TAMC proposing to acquire the entire parcel? What happens to the other railroad facilities occupying the parcels if TAMC acquires the properties?

No, these would be partial acquisitions. It is our understanding that the properties are not currently being utilized by railroad facilities.

- 7. Size limit: Is there a size limit or any other restriction in sending our proposal to your inbox that we should know to avoid delays?**

The email attachment size limit is 25 megabytes. You may also submit a link to a file share service that allows us to download the proposal.
